



Brownsville Independent School District

Agenda Category: General Function Board of Education Meeting: 08/05/25

Item Title: Revision to the BISD Delegation of X Action
Authority for the Procurement of Information
Construction Services and Ranking Criteria Discussion

BACKGROUND:

Administration is requesting approval to revise the BISD Delegation of Authority for the Procurement of Construction Services currently in effect as well as the Ranking Criteria for the 2-step ranking process to ensure that the procurement process is conducted in an open and fair competitive bidding environment as dictated by The Texas Government Code Section 2269.056 (a).


The changes to the ranking committee aim to remove positions that no longer exist and align the committee's composition with current roles. This ensures that all stakeholders affected by the project are appropriately represented. Additionally, the ranking criteria have been updated to place greater emphasis on construction performance and professionalism. This adjustment is intended to help the school district secure the highest quality vendor performance and avoid issues experienced with past underperforming vendors.

FISCAL IMPLICATIONS:

None at this time

RECOMMENDATION:

Recommend the approval to adopt the revision to the Delegation of Authority for the procurement of Construction Services and Ranking Criteria, as authorized by Texas Government Code Section 2269.056 (a).

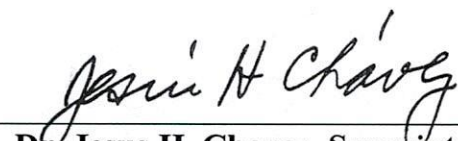

Manuel Hinojosa
Submitted by: Program Director


Alonso Guerrero
Recommended by: Health Services/Operations


Miguel Salinas
Reviewed by: Staff Attorney


Mary D Garza
Approved by: Interim Chief Financial Officer

Approved for Submission to Board of Education:


Dr. Jesus H. Chavez, Superintendent



AN EARLY COLLEGE DISTRICT

BROWNSVILLE

INDEPENDENT SCHOOL DISTRICT

**Delegation of Authority
for the
Procurement of Construction Services
August 5, 2025**

General Rules and Procedures

Selection of Delivery Method

The Board of Trustees of the Brownsville Independent School District, when considering a construction contract using a method specified by Government Code 2269.056 (a) must, before advertising, determine which method provides the best value for the district.

The district shall base its selection among offerors on applicable criteria authorized to be used under Government Code 2269.056 (b). The district shall publish in the request for proposals or qualifications the criteria that will be used to evaluate the offerors, and the applicable weighted value for each criterion.

The district shall document the basis of its selection and shall make the evaluations public not later than the seventh day after the date the contract is awarded.

Pre-Qualification of Submissions

Proof of Financial Stability/Attachment A (100 Points):

The district has selected a two-step ranking process whereby a Pre-Qualification of submissions will be performed by the district's Chief Financial Officer or designee based on the financial stability of the submissions. Once qualified the submissions will be moved to the Evaluation/Ranking Committee. For submission to get pre-qualified the following information must be disclosed/included:

1. Provide one or more letters of reference(s) from a bank(s) with regards to the company's financial standing and strength. **Total Points: 10**
2. Is your Bid Bond Company a U.S. listed Treasury Bonding Company? If a cashier's check is submitted in lieu of a bid bond, disregard this question. **Total Points: 10**
3. Will your Bid Bond Company be the same for your Performance and Payment Bonds, if you are awarded the project? If not, please list the Performance and Payment Bond company to be used, and are they U.S. Treasury Listed? *(The bond companies are not required to be federally or state treasury listed, however, utilizing unlisted bond companies will result in substantial point reductions.)* **Total Points: 20**

4. Provide a statement attesting if your firm is a Sole Proprietorship, Partnership, Limited Corporation, or Corporation, and provide a statement attesting if any individual owners of the firm have ever filed for bankruptcy. **Total Points: 10**
5. Provide an Audited Financial Statement by a CPA firm licensed to conduct business in the State of Texas. *(A Reviewed Audited Financial Statement may be submitted but will result in substantial point reductions. A Compilation Financial Report is not acceptable and will result in zero points. If your firm has submitted a financial statement to the district on a prior project and it is not more than a year old, the district may accept and utilize that same financial statement on any new project for evaluation and ranking purposes. If the district considers your prior submitted financial statements as outdated and not current, then the district will require that new financial statements be submitted in order to be evaluated and ranked.)* **Total Points: 50**

Delegation

As authorized by Government Code 2269.053 (a) the district's Board of Trustees may delegate its authority under this chapter regarding an action authorized or required by this chapter to a designated representative, committee, or other person. The Brownsville Independent School District's Board of Trustees hereby delegates its authority under this subchapter, to an evaluation and ranking committee consisting of the following individuals:

Pre-Qualification of Financial Stability

- Chief Financial Officer or designee

Ranking Committee (Limited to District Staff Only)

- Chief Financial Officer or designee
- ~~Deputy Superintendent for Operations or Designee~~
- Project Manager
- Facilities director or designee
- ~~District Architect~~
- Technology Director or designee
- Maintenance Director or designee
- Project originator

The district shall provide notice of the delegation, and the limits of the delegation, and the name or title of each person designated under Subsection (a) by rule or in the request for bids, proposals, or qualifications or in an addendum to the request.

The committee shall evaluate, rank, and publish said rankings in accordance with state law. A member of the Purchasing Department will be present, at all rankings, to ensure that procurement policies and processes are followed. The evaluation criteria and related weights have been pre-established by the district and are stated below.

When using a Competitive Sealed Proposal or a Request for Qualifications, and after the committee has completed the ranking of the offeror's proposals, the committee shall meet with the highest ranked offeror and attempt to negotiate a construction contract which provides the "best value to the district." Once the committee and the highest ranked offeror agree on a negotiated price and scope of work, the committee shall forward the negotiated contract amount proposal to the Superintendent's Office for placement on the next available School Board Meeting for award consideration.

The School Board of Trustees shall have the right to approve or reject the ranking committee's recommendations for a construction contract award. The district reserves the right to exclude firms failing to achieve a minimum total score from any further consideration for contract negotiation. Any contract changes to Board approved construction contracts shall not be permitted without further School Board approval.

Prior to the evaluation(s) and ranking(s), each member of the ranking committee must sign and submit a signed Non-Disclosure Statement to the BISD Purchasing Department.

During the discussion, evaluation, and ranking process, under no circumstances should any team member try to influence or attempt to pressure other ranking members to change the evaluation scores.

Criteria/Relative Weights

The district reserves the right to apply any or all selection criteria noted in Government Code 2269.055, including but not limited to, as provided by Section 2269.055 (8), "any other relevant factor". Offerors are to provide complete and specific information as requested to all items of the Ranking/Selection criteria. Non-responses to any item(s) will result in zero (0) points awarded. The relative weights (points) for each criterion are noted; award of points is dependent on the merits and completeness of information provided.

<u>Criteria</u>	<u>Weight</u>
Price	40 Points
Construction Company Experience	25 Points
Construction Team and Subcontractors Experience (Must provide requested resumes)	15 Points
Construction Team and Subcontractors Experience (Must provide requested resumes)	10 Points
Construction Performance/Professionalism (Based on reference check questionnaire)	20 Points
Construction Performance/Professionalism (Based on reference check questionnaire)	25 Points
Total Maximum Points	100 Points

Section 1

Price/Attachment B (40 Points):

The price will be evaluated and scored based on the main base proposal cost. The district reserves the right to include any and all alternate price proposals in the price evaluation process. The established budget will determine which, if any, alternates will be recommended and accepted as part of the overall price ranking evaluation. After the highest ranked firm is selected, negotiations on price and changes on the scope of work may occur with the firm that provides the best value to the district.

Price Points will be awarded based upon the total number of pre-qualified submissions. The lowest priced pre-qualified submission will receive the maximum number of points and the highest priced pre-qualified submission will receive the minimum number of points. A 16-point spread system will be established for all the offers.

Example: 60% Spread Formula of the total 40 price points = 24 points
40 total points – 24 points = 16-point spread

Contractor	Price	Points
Low Bidder	\$1,000,000.00	40.00
2 nd Low Bidder	\$1,050,000.00	34.67
3 rd Low Bidder	\$1,100,000.00	29.33
High Bidder	\$1,150,000.00	24.00

The district has selected the 60% formula, yielding a 16-point spread between the low bidder and the high bidder. In this case the 60% formula, the lowest offeror gets the maximum 40 points and the highest offeror gets 24 points. Everyone else in the middle will get their points scored proportionately (extrapolated).

Formula to arrive at assigned points:

High Bid	\$1,150,000.00	24 pts.
Low Bid	<u>-\$1,000,000.00</u>	40 pts.
Points per bid amount	\$ 150,000.00 / 16 pt. spread	
	= \$ 9,375.00 per point	

2 nd Low Bid	\$1,050,000.00	34.67
Low Bid	<u>-\$1,000,000.00</u>	
	\$ 50,000.00 / \$9,375.00	
	=5.33 points	
	40 total points – 5.33 extrapolated pts = 34.67	

3 rd Low Bid	\$1,100,000.00	29.33
Low Bid	<u>-\$1,000,000.00</u>	
	\$ 100,000.00 / \$9,375.00	
	=10.67 points	
	40 total points – 10.67 extrapolated pts. = 29.33	

This is the scoring system which will be utilized by the ranking committee on the price category for all construction projects.

Section 2

Construction Company Experience/Attachment B (25 points):

In order to get points relating to construction company experience submission must disclose/include the following questionnaire:

1. How many projects has your firm worked on and completed?
Please list in chronological sequence, beginning with the most recent.

2. How many school district projects has your firm worked on and completed?
Please list in chronological sequence, beginning with the most recent.
3. List the projects constructed of similar size, type, and complexity to this particular project.
Please list in chronological sequence, beginning with the most recent.

2.a Years in business: (please mark one)

0-10 years 11-20 years 20+ years

2.b Experience with school construction: (please mark one)

0-10 years 11-20 years 20+ years

2.c Similar size, scope complexity, and project cost: (please mark one)

0-10 years 11-20 years 20+ years

Section 3

Construction Team and Subcontractors' Experience – Must provide requested resumes/Attachment B: (15-points) (10 Points)

In order to get points relating to construction team and subcontractors' experience the submission must disclose/include the following questionnaire:

1. What Job Superintendent and Project Manager do you anticipate will be working on this particular project?
Submit resumes of these key individuals with emphasis on job knowledge and experience. If you are not sure, list two or three potential job superintendents or project managers who will be in charge of this project, with corresponding resumes.
2. Provide a list of subcontractors to be used on this project. If not sure on certain trades, please list potential alternate subcontractors.
- 3.a Project Manage and Superintendent Experience: (please mark one)
0-10 years 11+ years
- 3.b Subcontractors: (please mark one)
0-10 years 11+ years

Section 4

Construction Performance/Professionalism – Based on reference check questionnaire/Attachment B: (20-points) (25 Points)

In order to get points relating to construction company professionalism, the submission must include references as required by the solicitation. References must complete the following questionnaire:

- 4.a Quality of work
1. What was the quality of work provided by this contractor?
 2. How well did the contractor respond to change order requests, and were the proposed prices fair and reasonable?
 3. How well did the contractor respond to warranty items relating to response time and quality of work?
- 4.b History of meeting deadlines
1. Was the contractor on time in finishing your project as originally projected?
- 4.c Ability to resolve project issues
1. How well did the contractor work with consulting architects and/or engineers?
 2. Did you or have you received any Notice of Liens for non-payment from sub-contractors and/or material suppliers on any of your projects with this particular general contractor?
 3. Was the contractor cooperative and professional in addressing construction issues, such as design conflicts, quality of work issues, pricing change orders, and in resolving other related construction issues?
 4. Was the contractor on time in finishing your project as originally projected?
 5. Was the contractor ever confrontational, defensive, non-responsive, argumentative, disrespectful, during the duration of the construction project?
- 4.d Project documentation
1. Did the contractor hold monthly meetings and document said meetings with appropriate minutes or construction reports?
- 4.e Closing project/punch list completion
1. How timely did the contractor submit all warranty and operations manual documents, and all other related close out documents?
 2. Did the contractor finish punch list items in a reasonable time period?
- 4.f Safety record
1. Provide statement of firm's safety record and/or history

Notification of Criminal History of Contractor

In accordance with Section 44.034, of the Texas Education Code, a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.

This section does not apply to a publicly held corporation (Section 44.034. (c). If your firm is incorporated, please submit an attested written document stating that the offering firm is a publicly held corporation, legitimately conducting business in the State of Texas.

Ranking Sheet – Form BISD DOA - 2021

Form BISD DOA – 2021 shall be used as the scoring sheet to score the contractors bids, proposals and/or request for qualifications. In the event of a tie or ties, the tie breaker shall be in the favor of the offeror

which submitted the lowest price. The alternates shall be used in addition to the base price only if the base price plus the alternate(s) price fall within the project budget. Negotiations on price shall not be allowed until after the district has selected the offeror which is the highest ranked and provides the "best value" to the district, in accordance with the rules and procedures set herein.